

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

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| Date of mailing (<i>day/month/year</i>) 28 December 2006 (28.12.2006) | |
| Applicant's or agent's file reference P38425-P0 | IMPORTANT NOTIFICATION |
| International application No. PCT/JP2005/008932 | International filing date (<i>day/month/year</i>) 17 May 2005 (17.05.2005) |
| Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD. et al | |

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KM, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NG, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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| The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland | Authorized officer Yoshiko Kuwahara |
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

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| Applicant's or agent's file reference P38425-P0 | FOR FURTHER ACTION | See item 4 below |
| International application No. PCT/JP2005/008932 | International filing date (<i>day/month/year</i>) 17 May 2005 (17.05.2005) | Priority date (<i>day/month/year</i>) 02 June 2004 (02.06.2004) |
| International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237 | | |
| Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD. | | |

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|-------------------------------------|--|---|-----------|---------------------|--------------------------|------------|----------|--------------------------|-------------|--|-------------------------------------|------------|----------------------------|-------------------------------------|-----------|---|-------------------------------------|------------|-------------------------|--------------------------|-------------|--|--------------------------|--------------|---|
| 1. | This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a). | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. | This REPORT consists of a total of 7 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead. | | | | | | | | | | | | | | | | | | | | | | | | |
| 3. | <p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 40%;">Box No. I</td> <td style="width: 50%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table> | <input checked="" type="checkbox"/> | Box No. I | Basis of the report | <input type="checkbox"/> | Box No. II | Priority | <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability | <input checked="" type="checkbox"/> | Box No. IV | Lack of unity of invention | <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement | <input checked="" type="checkbox"/> | Box No. VI | Certain documents cited | <input type="checkbox"/> | Box No. VII | Certain defects in the international application | <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. II | Priority | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> | Box No. IV | Lack of unity of invention | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> | Box No. VI | Certain documents cited | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application | | | | | | | | | | | | | | | | | | | | | | | |
| 4. | The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2). | | | | | | | | | | | | | | | | | | | | | | | | |

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| Date of issuance of this report 14 December 2006 (14.12.2006) | Authorized officer Yoshiko Kuwahara |
| e-mail: pt07@wipo.int | |

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PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

P38425-P0

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2005/008932

International filing date (day/month/year)

17.05.2005

Priority date (day/month/year)

02.06.2004

International Patent Classification (IPC) or both national classification and IPC

Applicant

MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input checked="" type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input checked="" type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/IP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/008932

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

_____, which is the language of a translation furnished for the purposes of international search (under

Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

- a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

- b. format of material

☐

in written format

☐

in computer readable form

- c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/008932

Box No. IV Lack of unity of invention

1. ☐ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has:
- ☐ paid additional fees
 - ☐ paid additional fees under protest
 - ☐ not paid additional fees
2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is
- ☐ complied with
 - ☒ not complied with for the following reasons:

What is common to claims 1, 2, 15, 28, 32, 35, 38, 43 and 45-47 is to control, "when an event occurs while a television broadcast received is outputted by a display means and a voice reproduction means, at least one of the display of a TV broadcast image by the display means, the reproduction of TV broadcast sound by the voice reproduction means or the event," but since this common matter is disclosed in the document [JP, 2003-329459, A (Hakuhodo Inc. et al.), 19 November, 2003 (19.11.03), paragraphs [0065]-[0104]], it is clear that the subject matters of claims 1, 2, 15, 28, 32, 35, 38, 43 and 45-47 do not appear to be novel.

As a result, this common matter is no more than prior art, and is not considered to be a special technical feature in the sense of the second sentence of PCT Rule 13.2. Therefore, there is no common matter in the whole of the above claims.

Since there is no other common matter which is considered to be a special technical feature in the sense of the second sentence of PCT Rule 13.2, no technical relationship in the sense of PCT Rule 13 can be found among these different inventions. Therefore, it is clear that the subject matters of claims 1, 2, 15, 28, 32, 35, 38, 43 and 45-47 do not satisfy the requirement of unity of invention.

4. Consequently, this opinion has been established in respect of the following parts of the international application:

- ☒ all parts
- ☐ the parts relating to claims Nos. _____

International application No.

PCT/JP2005/008932

| Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement | | |
|-----------|---|--|-----|
| 1. | Statement | | |
| | Novelty (N) | Claims 2-9, 18, 35-37, 39-40, 42, 43, 44 | YES |
| | | Claims 1, 10-14, 15-17, 19-27, 28-31, 32-34, 38, 41, 45-47 | NO |
| | Inventive step (IS) | Claims 43, 44 | YES |
| | | Claims 1-42, 45-47 | NO |
| | Industrial applicability (IA) | Claims 1-47 | YES |
| | | Claims | NO |
| 2. | Citations and explanations: | | |
| | <p>Document 1: JP, 2003-329459, A (Hakuhodo Inc., et al.), 19 November, 2003 (19.11.03), paragraphs [0065]-[0104]</p> <p>Document 2: JP, 2004-112807, A (Samsung Electronics Co., Ltd.), 8 April, 2004 (08.04.04), paragraphs [0090]-[0106], Figs. 12A-13C</p> <p>Document 3: JP, 2004-112370, A (Sanyo Electric Co., Ltd.), 8 April, 2004 (08.04.04), paragraph [0024], Fig. 3</p> <p>Document 4: JP, 2003-51993, A (Seiko Epson Corp.), 21 February, 2003 (21.02.03), paragraphs [0050]-[0053], Fig. 4</p> <p>Document 5: JP, 2003-110955, A (Sharp Corp.), 11 April, 2003 (11.04.03), paragraphs [0029]-[0033], Figs. 4 and 5</p> <p>Claims 1, 15, 17, 19-22, 28-31 and 45-47</p> <p>Document 1 describes that in a mobile terminal having a TV tuner and a recording device, when a telephone call arrives while a TV program is being viewed or a terminal is folded, video recording is implemented by the recording device in the mobile terminal, so the subject matters of claims 1, 15, 17, 19-22, 28-31 and 45-47 do not appear to be novel or to involve an inventive step.</p> <p>Claims 2-9</p> <p>Document 2 describes that in a terminal device having a TV mode and a communication mode, a telephone call arrives while a TV program is being viewed, and the communication mode is executed when mail is in use. That is, since the arrival of a telephone call and the use of mail relate to the transition to a mode which interrupts them while a TV program is being viewed as disclosed in document 2, there would be no special difficulty for a person skilled in the art to take a constitution in which video recording inside the mobile terminal is implemented when mail is in use instead of when a telephone call arrives as described in document 1. So, the subject matters of claims 2-9 do not appear to involve an inventive step.</p> <p>Claims 10-14 and 23-27</p> <p>Document 2 describes that in a terminal device having a TV mode and a communication mode, a telephone call arrives while a TV program is being viewed, and the communication mode is executed when mail is in use, and particularly describes that a screen is divided into that for mail and that for viewing a TV program, and both screens superimposed on each other are displayed. So, the subject matters of claims 10-14 and 23-27 do not appear to be novel.</p> <p>Claims 16 and 18</p> <p>Document 3 describes an answerphone in a mobile terminal having a TV tuner, so the subject matter of claim 16 does not appear to be novel in view of document 3, and the subject matter</p> | | |

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/008932

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

of claim 18 does not appear to involve an inventive step in view of the combination of document 1 and document 3.

Claims 32-34

Document 4 discloses that in a mobile terminal having a TV tuner, reception is stopped when the terminal is folded. So, the subject matters of claims 32-34 do not appear to be novel or to involve an inventive step.

Claims 35-37

Document 5 describes that in a mobile terminal having a TV tuner, instructions on video recording are given to a desktop peripheral device when viewing a TV program becomes impossible, and since the inventions described in document 1 and document 5 are the techniques of performing video recording when a TV program cannot be viewed while it is being viewed in the mobile device having a TV tuner, it would require no special difficulty for a person skilled in the art to combine these techniques. So, the subject matters of claims 35-37 do not appear to involve an inventive step.

Claims 38-42

Document 4 describes that in a mobile terminal having a TV tuner, reception is stopped when a predetermined operation of pressing a jog switch down or folding the terminal is conducted, and reception is resumed when a predetermined operation of opening the terminal is conducted. So, the subject matters of 38 and 41 do not appear to be novel or to involve an inventive step.

Furthermore, since it is merely a commonly used technique to notify the lapse of a predetermined time or to resume reception after the lapse of a predetermined time, the subject matters of claims 39, 40 and 42 do not appear to involve an inventive step.

Claims 43 and 44

"The display of an image or the reproduction of voice is stopped when a CM is detected" of claim 43 cannot be derived from the above documents.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2005/008932

Box No. VI **Certain documents cited**

1. Certain published documents (Rule 43bis.1 and 70.10)

| Application No. Patent No. | Publication date (day/month/year) | Filing date (day/month/year) | Priority date (valid claim) (day/month/year) |
|-------------------------------|--------------------------------------|---------------------------------|---|
| JP 2005-130132 A [E, X] | 19.05.2005 | 22.10.2003 | |
| JP 2005-223819 A [E, A] | 18.08.2005 | 09.02.2004 | |
| JP 2005-65129 A [E, A] | 10.03.2005 | 20.08.2003 | |

2. Non-written disclosures (Rule 43bis.1 and 70.9)

| Kind of non-written disclosure | Date of non-written disclosure (day/month/year) | Date of written disclosure referring to non-written disclosure (day/month/year) |
|--------------------------------|--|---|
| | | |